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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Maria Dolores RAMIREZ-Linan

Defendant.

Magistrate Case No.

07 MJ 2501

DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section

1324(a)(2)(B)(iii)-

Bringing in Illegal Alien(s)

Without Presentation

The undersigned complainant being duly sworn states:

On or about October 18, 2007, within the Southern District of California, defendant **Maria Dolores RAMIREZ-Linan**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Gerardo Javier FLORES-Ramirez**, **Antonia ESPINOZA-Bautista**, and **Lizbeth VELASCO-Guevara**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT

Sara Esparagoza, U.S. Customs and Border
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 19th DAY OF
October, 2007.


 UNITED STATES MAGISTRATE JUDGE

JDM

PROBABLE CAUSE STATEMENT

The complainant states that **Gerardo Javier FLORES-Ramirez, Antonia ESPINOZA-Bautista, and Lizbeth Velasco-Guevara** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On October 18, 2007, at approximately 0807 hours, **Maria Dolores RAMIREZ-Linan (Defendant)**, applied for admission to the United States through primary lane 23 of the San Ysidro, California Port of Entry. Defendant was the driver of a 1996 Ford Aerostar Van. Defendant presented a genuine border crosser document (Form DSP-150) bearing her true name and photo to the U.S. Customs and Border Protection (CBP) Officer. Defendant stated she was going to a retail store in San Diego, California and that she was not bringing anything from Mexico. The CBP Officer noticed a discrepancy underneath the vehicle and recognized it as a possible non-factory compartment. Defendant and the vehicle were referred to Secondary for further inspection.

In Secondary, Defendant claimed ownership of the vehicle to a CBP Officer and presented him a counterfeit Mexican vehicle registration bearing her name. Defendant declared to the CBP Officer that she was not bringing anything from Mexico. The CBP Officer noticed a discrepancy on the floor of the vehicle. A CBP Canine Enforcement Officer was requested and screened the vehicle with a service canine. The service canine positively alerted to an area beneath the rear bumper of the vehicle. CBP Officers discovered an access panel on the floor of the vehicle to a non-factory compartment. A total of four human beings were discovered concealed in the compartment. CBP Officers assisted in removing the persons from the vehicle. All subjects identified themselves as citizens of Mexico with no legal documents to enter the United States. Three of these subjects were held as Material Witnesses. They are now identified as **Gerardo Javier FLORES-Ramirez (MW1), Antonia ESPINOZA-Bautista (MW2), and Lizbeth Velasco-Guevara (MW3)**. The Defendant was escorted to the San Ysidro Prosecutions Unit.

During a videotaped interview, Defendant was advised of her Miranda rights and elected to answer questions without an attorney present. Defendant denied any knowledge of the concealed persons in the vehicle. Defendant stated she was given the vehicle by a friend the prior evening and was instructed to go to a retail store in San Diego. Defendant stated that the vehicle was in her possession for the entire previous evening and morning of October 18th and added that the concealed persons must have been in the compartment for approximately eight to ten hours prior to arriving at the Port of Entry. Defendant stated she purchased the vehicle approximately one month ago. Defendant stated the same friend who gave her the vehicle also imported and registered the vehicle for her in Tijuana, Mexico.

A videotaped interview was conducted with the Material Witnesses. Material Witnesses stated they are citizens of Mexico and that they do not have documents to lawfully enter the United States. Material Witnesses stated they were in the compartment on the morning of the 18th of October for approximately 30 minutes to one hour. Material Witnesses stated that they or their family members made individual arrangements directly with unknown smugglers in Tijuana, Mexico and were to pay smuggling fees ranging from an unknown amount to \$3,500 USD upon successfully being smuggled into the United States. Material Witnesses admitted their intention was to travel to various cities throughout California to seek residency and employment.


 SIGNATURE OF COMPLAINANT

Sara Esparagoza, U.S. Customs and Border
Protection Enforcement Officer


 UNITED STATES MAGISTRATE JUDGE